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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/092,796  
Applicant : Jonathan D. Smith  
Filed : March 7, 2002  
Art Unit : 3643  
Examiner : Bret Hayes

Confirmation No. 3409

Copier  
10-24-03

Docket No. : RBC-101US  
Customer No. : 24314

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AMENDMENT

Sir:

In response to the Office Action of April 9, 2003, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 8 of this paper.



10-10-03

PTO/SB/30 (08-03) 3600

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/092,796
Filing Date	March 7, 2002
First Named Inventor	Smith
Art Unit	3643
Examiner Name	Bret Hayes
Attorney Docket Number	RBC-101US/RCE

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**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114**

Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- ii. ☒ Other Declarations of Smith and Wandler filed 8/11/03

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b. ☒ Enclosed

- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other

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2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 10-0270 (\$585 for RCE and Extension fees)

- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other

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- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)	James P. Delaney	Registration No. (Attorney / Agent)	45,578
Signature	<i>James P. Delaney</i>	Date	October 9, 2003

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I hereby certify that this an envelope addressed the U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450 on

Name (Print / Type) Chris Wipper  
Signature *Chris Wipper*

Name: Chris Wipper

Signature *Chris Wipper* Date 10/9/03

This collection of information (process) an application. For gathering, preparing, and submitting time you require to complete Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450

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public which is to file (and by the USPTO to take 12 minutes to complete, including individual case. Any comments on the amount information Officer, U.S. Patent and Trademark OFFICE FORMS TO THIS ADDRESS. SEND